

seizure and condemnation of 24 bottles of Owl tonic, remaining in the original unbroken packages at Nashville, Tenn., alleging that the article had been shipped by the Owl Drug Co., Decatur, Ala., on or about January 23, 1929, and had been transported from the State of Alabama into the State of Tennessee, and charging misbranding in violation of the food and drugs act as amended.

The article was labeled in part: (Bottle) "For * * * La Grippe, Influenza, Chills, Malaria, Loss of Appetite, * * * Tired Feeling and a General System Builder;" (carton) "For * * * LaGrippe, Influenza, * * * Dizziness, Chills, Malaria and is a System Builder * * * It acts as a mild stimulating tonic to the liver * * * assists nature in building up the whole nervous system. * * * For * * * LaGrippe, Chills or Malaria."

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium sulphate (34.3 grams per 100 cubic centimeters), quinine sulphate (1.5 grains per fluid ounce), a small proportion of iron chloride, hydrochloric acid, and water, colored red.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the act, paragraph 3, under drugs, in that the statements in the labeling, regarding the curative and therapeutic effects of the said article, were false and misleading and deceived and misled the purchaser. (This department recommended that the charge be brought in the libel that the above-quoted statements from the labeling, were false and fraudulent.)

On May 5, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18524. Misbranding of Lano Fume pneumonia salve. U. S. v. 10 Jars of Lano Fume Pneumonia Salve. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26096. I. S. No. 21771. S. No. 4375.)

Examination of a drug product, known as Lano Fume pneumonia salve, from the shipment herein described having shown that the labeling bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the district of Colorado.

On or about March 31, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 jars of Lano Fume pneumonia salve, remaining in the original unbroken packages at Pueblo, Colo., consigned by the McKesson-Stewart-Holmes Drug Co., Seattle, Wash., alleging that the article had been shipped from Seattle, Wash., on or about January 17, 1931, and had been transported from the State of Washington into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of volatile oils (approximately 16 per cent), including eucalyptus oil and camphor, and ammonia incorporated in a base of wool fat.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredients or combination of ingredients capable of producing the effects claimed: "Lano Fume Pneumonia Salve * * * a guaranteed remedy for the relief of Pleurisy, Lumbago, Bronchitis, Croup, Influenza * * * Sore Throat and Pneumonia."

On May 12, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18525. Misbranding and alleged adulteration of Pyro-Chex antiseptic liquid and Pyro-Chex complete treatment. U. S. v. 13 Small-Sized Bottles of Pyro-Chex Antiseptic Liquid, et al. Default decree of condemnation and destruction. (F. & D. No. 26087. I. S. Nos. 24046, 24047, 24048. S. No. 4381.)

Examination of the drug products from the shipments herein described having shown that they were represented to be antiseptics, whereas they were not, and that the labeling bore statements representing that the articles possessed curative and therapeutic properties which they did not possess, the Secretary